



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

HD

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/915,439	07/26/2001	Rabindranath Dutta	AUS920010440US1	7368
7590 Frank C. Nicholas CARDINAL LAW GROUP Suite 2000 1603 Orrington Avenue Evanston, IL 60201			EXAMINER DASS, HARISH T	
			ART UNIT 3693	PAPER NUMBER
			MAIL DATE 05/21/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	09/915,439	DUTTA, RABINDRANATH	
	Examiner	Art Unit	
	Harish T. Dass	3693	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 December 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

In view of the Appeal Brief filed on 12/22/2006, PROSECUTION IS HEREBY REOPENED.

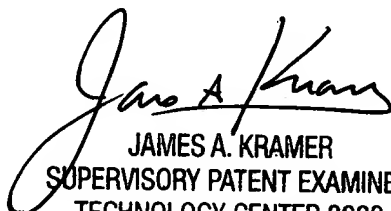
To avoid abandonment of the application, appellant must exercise one of the following two options:

(1) file a reply under 37 CFR 1.111 (if this Office action is non-final) or a reply under 37 CFR 1.113 (if this Office action is final); or,

(2) initiate a new appeal by filing a notice of appeal under 37 CFR 41.31 followed by an appeal brief under 37 CFR 41.37. The previously paid notice of appeal fee and appeal brief fee can be applied to the new appeal. If, however, the appeal fees set forth in 37 CFR 41.20 have been increased since they were previously paid, then appellant must pay the difference between the increased fees and the amount previously paid.

A Supervisory Patent Examiner (SPE) has approved of reopening prosecution by signing below:

James Kramer.



JAMES A. KRAMER
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Art Unit: 3693

Claims 1-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hambrecht et al (hereinafter Hambrecht – US 6,629,082) in view of Kiselik (US 2001/0034631).

Re. Claim 1, 11, and 21 Hambrecht discloses a method, system and software, receiving a request for an enhanced certificate from a requestor at a **certificate authority** server [Figures 1-3B, 5-7C9 L47-L62; C12 L24-L48],

receiving a bid from a purchaser with a purchaser enhanced certificate at the aggregate exchange server [C14 L59-L65],

determining whether the bid matches the offer [C15 L48-L51],
and

receiving agreement of the matched supplier and purchaser at the exchange server to execute the transaction [C9 L48-L62; C31 L55-L60; C30 L58-L63].

Hambrecht does not explicitly disclose determining whether the requester qualifies for the enhanced certificate,

issuing the requestor the certificate if the requester qualifies,
receiving an offer from a supplier with a supplier certificate, and
sending the supplier the purchaser enhanced certificate from the aggregate exchange server, and sending the purchaser the supplier enhanced certificate from the exchange server, if the bid matches the offer.

However, Kiselik discloses determining (evaluation) whether the requester qualifies for the enhanced certificate (qualification information), issuing the requestor the certificate (see buyers and seller eligible or ineligibility) if the requester qualifies [see Figures 3, 4 and associated descriptions paragraphs 32-33], and receiving an offer from a supplier with a supplier certificate (see price quote), and sending the supplier the purchaser enhanced certificate (RFQ) from the aggregate exchange server, and sending the purchaser the supplier enhanced certificate (price quote) from the exchange server, if the bid matches the offer [see Figures 3, 4 and associated descriptions paragraphs 32-33 and 04, 36-37]. It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify the disclosure of Hambrecht and include determining whether the requester qualifies for the enhanced certificate, issuing the requestor the certificate if the requester qualifies, receiving an offer from a supplier with a supplier certificate, and sending the supplier the purchaser enhanced certificate from the aggregate exchange server, and sending the purchaser the supplier enhanced certificate from the exchange server, if the bid matches the offer, as disclosed by Kiselik, to provide a computer system to qualify buyers and seller based on buyer's and seller's profiles and match the buyer and seller based on the profiles for particular transaction.

Re. Claims 2 and 12, Hambrecht discloses wherein the certificate authority server comprises the aggregate exchange server [C12 L24-L48; C23 L39-L62 – see network].

Art Unit: 3693

Re. Claims 4-5, , 14-15, & 22 Hambrecht discloses wherein issuing the requester an enhanced certificate comprises implementing at least one security feature, and wherein the security feature is selected from a group consisting of a user password, a public key cryptograph [C26 L39-L50; C24 L10-L15], a digital signature [C9 L48-L67]. Hambrecht does not explicitly disclose (5) an XML based security standard.

However, XML is well known used with Internet transaction. It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify the disclosure of Hambrecht and include an XML based security standard to use standard acceptable security protocol known and used by others.

Re. Claims 3 and 13, Hambrecht discloses wherein the enhanced certificate comprises financial data and identification data [account information; C9 L48-L52; C13 L43-48].

Hambrecht does not explicitly disclose credit rating data, and financial routing data.

However, these are well known. For example, to apply for credit, the lender (financial institution) obtains credit rating before providing credit. Similarly, financial data routing is used for electronic transfer of fund to buyer/seller accounts. It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify the disclosures of Hambrecht and Kiselik to evaluate creditworthiness of buyer/seller and provide direct fund transfer to/from seller/buyer account.

Re. Claims 6-7, 16-17 and 23 Hambrecht discloses providing a hyperlink to the aggregated exchange server wherein the hyperlink comprises the certificate request,

and wherein the hyperlink is provided on a web site for access by the requestor [C11 L54-L60].

Re. Claims 8-10, 18-20, and 24-25 Kiselik further discloses verifying a portion of requestor financial information with an outside server, and wherein verifying the portion of requestor financial information comprises determining eligibility for an enhanced certificate [see out side source paragraph 32] to obtain eligibility information from third party such as Equifax for credit rating. It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify the disclosure of Hambrecht and include the above limitations to verify the eligibility of the traders by third party. Kiselik discloses updating requestor financial information [Abstract]. It would have been obvious at the time the invention was made to a person having ordinary skill in the art to modify the disclosures of Hambrecht and Kiselik and include updating requestor financial information to reflect the timely rating of the requestor.

Response to Arguments

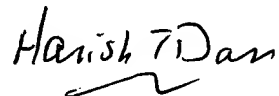
2. Applicant's arguments filed 12/22/2006 with respect to pending claims have been considered but are moot in view of the new ground(s) of rejection.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Harish T. Dass whose telephone number is 571-272-6793. The examiner can normally be reached on 8:00 AM to 4:50 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James A. Kramer can be reached on 571-272-6783. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Harish T Dass
Examiner
Art Unit 3693



05/11/07